



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|----------------------------|
| 09/404,520 | 09/23/1999 | Yongwei Cao | 04983.0207.US00/38-10(154) |

FORMALITIES LETTER

David R Marsh Esq
Howrey & Simon
Box No 34
1299 Pennsylvania Avenue NW
Washington, DC 20004-2402



Date Mailed: 10/13/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

11/24/2000 MMARHOL 00000002 09404520

01 FC:105

130.00 DP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yongwei CAO *et al.*

Appl. No. 09/404,520

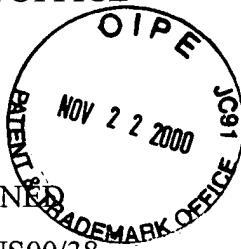
Filed: September 23, 1999

For: *Emericella Nidulans Genome
Sequence and Uses Thereof*

Art Unit: 1643

Examiner: TO BE ASSIGNED

Atty. Docket: 04983.0207.US00/38-
10(15498)A



Response to Notice to File Missing Parts of Nonprovisional Application

Commissioner for Patents

Washington, D.C. 20231

ATTN: Box Missing Parts

Sir:

In response to the **Notice to File Missing Parts of Nonprovisional Application--Filing Date Granted** dated October 13, 2000, Applicant(s) submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted;
2. Combined Declaration and Power of Attorney for Patent Application, executed by the inventors (4 pages)
3. Return postcard; and
4. Howrey & Simon Check No. 340490 for \$130.00 to cover:

\$130.00 Surcharge for late filing of Declaration (37 C.F.R. §1.16).

It is respectfully requested that the attached postcard be stamped with the date filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038. If extensions of time under 37 C.F.R. §1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are

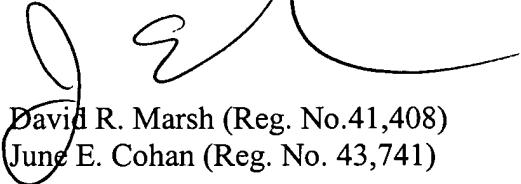
Yongwei CAO *et al.*

November 22, 2000

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hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 08-3038. A duplicate copy of this Response is enclosed.

Respectfully submitted,



June E. Cohan

Date: November 21, 2000

David R. Marsh (Reg. No.41,408)

June E. Cohan (Reg. No. 43,741)

HOWREY SIMON ARNOLD & WHITE, LLP
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A LIMITED LIABILITY PARTNERSHIP

November 22, 2000



Commissioner for Patents
Washington, DC 20231

Attn: Box Missing Parts

Re: Utility Application Serial No. 09/404,520
Filed: September 23, 1999
Inventors: Yongwei CAO *et al.*
For: *Emericella Nidulans Genome Sequence and Uses Thereof*
Atty. Ref.: 04983.0207.US00/38-10(15498)A

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Response to Notice to File Missing Parts of Application;
2. Copy of the Notice to File Missing Parts of Application – Filing Date Granted;
3. Combined Declaration and Power of Attorney executed by the inventors (4 pages);
4. Information Disclosure Statement;
5. Form PTO-1449 (1 page), with 15 accompanying documents;
6. Associate Power of Attorney executed by David Marsh;
7. Our Check No. 340490 in the amount of \$130.00 to cover the surcharge for late filing of the signed Declaration; and
8. Return postcard.

It is respectfully requested that the attached postcard be stamped with the filing date of these documents and returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby

BEST AVAILABLE COPY

Commissioner for Patents
November 22, 2000
Page 2

requested, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 08-3038. A duplicate copy of this letter is enclosed.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)
June E. Cohan (Reg. No. 43,741)

Enclosures